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Attorney for Defendant,  
MARCUS ASAY,

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

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UNITED STATES OF AMERICA.

Plaintiff,

v.

MARCUS ASAY,

Defendant.

CASE NO.: 1:22-CR-00162-NODJ-BAM

**STIPULATON AND ORDER TO  
CONTINUE STATUS CONFERENCE**

TO THE HONORABLE COURT AND TO THE ASSISTANT UNITED STATES  
ATTORNEY:

The defendant, Marcus Asay, by and through his counsel, Anthony P. Capozzi, and the Plaintiff, United States of America through the Assistant United States Attorney, Michael G. Tierney, hereby stipulate that the status conference set for August 14, 2024, be continued to September 11, 2024, at 1:00 p.m., since the defense counsel. Anthony P. Capozzi is currently involved in a jury trial in People v. Jagtar Singh, in the Fresno Superior Court, in Case No. F2303919.

The parties further stipulate that time be excluded under the Speedy Trial Act for defense preparation and continuity of counsel.

Dated: August 5, 2024, BY: /s/ Anthony P. Capozzi  
ANTHONY P. CAPOZZI, Attorney for  
Marcus Asay and Agricultural Contracting Services  
Association, dba American Labor Alliance

Dated: August 5, 2024, By: /s/ Michael G. Tierney  
MICHAEL G. TIERNEY,  
Assistant United States Attorney

**ORDER**

IT IS SO ORDERED that the status conference currently set for August 14, 2024, be continued to **September 11, 2024 at 1:00 p.m. before Magistrate Judge Barbara A. McAuliffe**. Time shall be excluded from August 14, 2024, to September 11, 2024, under the Speedy Trial Act for defense preparation and continuity of counsel. The Court finds that the ends of justice outweigh the interest of the defendant and the public in a speedy trial.

IT IS SO ORDERED.

Dated: August 7, 2024

/s/ Barbara A. McAuliffe  
UNITED STATES MAGISTRATE JUDGE